

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS, et al.,

Defendants

In the Matter of the Application of
HICKS BROADCASTING OF INDIANA, LLC,
et al.

Applicants,

For the Determination of Reasonable License Fees.

No. 41 CV 1395 (WCC)

AMENDED ORDER TO
SHOW CAUSE

Upon ASCAP's Motion to Enforce the Court's October 15, 2004 Final Order against Yaquina Bay Communications, Inc. ("Yaquina") and the papers filed in support of the Motion, the Affidavit of Christine A. Pepe, Esq. in Support of Default Judgment, dated June 24, 2009, and exhibits attached thereto, and all prior proceedings herein, it is hereby:

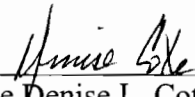
ORDERED that Yaquina show cause at a hearing to be held in this Court before the Honorable Denise L. Cote, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 11B, New York, New York 10007-1312, on Sept. 4, 2009, at 11:45 a.m. why an order should not be entered granting ASCAP's motion to enforce this Court's October 15, 2004 Final Order and entering default judgment against Yaquina in the total amount of \$106,259.19, representing all fees and charges due and

owing to ASCAP under the 2004 ASCAP Radio Station License Agreement through May 31, 2009, and such other and further relief as the Court may deem just and proper.

FURTHER ORDERED that delivery, via overnight Federal Express service, of this Amended Order to Show Cause on David Miller, President of Yaquina Bay Communications, Inc., at 905 S.W. Alder Street, Newport, Oregon 97365, on or before August 7, 2009, shall be deemed good and sufficient service.

Dated: New York, New York

July 31, 2009



Honorable Denise L. Cote
United States District Judge